

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 25 - 37 are pending in the application. Claims 25 - 27, 29, and 31 - 37 stand rejected; and claims 28 and 30 stand allowed.

By the present amendment, claims 25, 28, 30, and 33 - 36 have been amended; claim 37 has been cancelled without prejudice; and new claim 38 has been added to the application. The amendments to claims 28 and 30 are to correct an inadvertent omission and are not made for reasons of patentability.

In the office action mailed June 8, 2011, claims 25 - 27, 29, and 31 - 37 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement; claims 33 - 35 and 37 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,107,587 to Smith; claims 25 - 27, 29, and 32 - 37 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,752,901 to Musse; and claims 25 - 27, 29, 31 - 32, and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Musse.

The foregoing rejections are traversed by the instant response.

The rejection under 35 U.S.C. 112, first paragraph, is now moot in view of the amendments to claims 25 and 33.

With regard to the anticipation rejection of claim 33 based upon the Smith patent, this rejection has been traversed by the present response. Claim 33, as amended herein, is directed to an apparatus for locally increasing pressing pressure on a press tool having an upper part and a lower part, said apparatus comprising: a first part having a first clamping surface; said first clamping surface being adapted for clamping a first abutment surface on said upper part of the press tool thereagainst and for performing reciprocal movements for operating the press tool between an open position and a closed pressing position; a power unit provided between the first clamping surface and the first abutment surface on said upper part of the press tool; said power unit being smaller than the first abutment surface; said power unit being connected to a source of pressurized hydraulic fluid for exerting when activated by said hydraulic fluid a locally increased pressure from the first clamping surface on the first abutment surface on said upper part of the press tool; said power unit comprising two plates defining an interspace therebetween; said interspace being filled and pressurized by means of said pressurized hydraulic fluid; and said power unit being activated by supplying said pressurized hydraulic fluid into the interspace for causing the power unit to expand and thereby locally increase the pressing pressure on the upper part of the press tool.

Smith is directed to a press for forming paperboards. The press comprise a sieve plate (e) mounted to a support (d). It further includes a reciprocating platen (f) on which is located a peripheral annulus (f') and a plate (g) having a rubber or rubber and felt or other like flexible surface (h) constituting

a flexible body adapted to be pressed into contact with the sieve (e) by operation of the hydraulic ram so as to couch the layer of pulp upon the sieve and remove the same on reverse movement of the hydraulic ram so that the layer (i) is transferred from the sieve to the flexible body. Behind the backing plate, an inflatable bag or series of bags (k) are arranged in recesses so that during normal operation of the hydraulic ram the bags are not compressed. When the last layer has been formed on the sieve, the ram is moved so that the layers upon the flexible body are brought into contact with the layer upon the sieve and the platens are locked in position, whereupon high pressure water or air is admitted to the inflatable bags and the pressure is maintained for sufficient time to consolidate the material and the layers together and to express as much as possible of the remaining water therefrom.

Smith does not disclose a first part having a first clamping surface for clamping a first abutment surface on an upper part of a press tool and for causing reciprocal movements which cause the press tool to open and close. Smith also lacks a power unit provided between the first clamping surface and the first abutment surface on said upper part of the press tool, which power unit is connected to a source of pressurized hydraulic fluid for exerting when activated by said hydraulic fluid a locally increased pressure from the first clamping surface on the first abutment surface on said upper part of the press tool. Still further, Smith lacks a power unit comprising two plates defining an interspace therebetween. In Smith, the units are bags, not plates. Still further, the bags (k) in Smith do not meet that part of claim 33 which says that the power unit is activated by supplying said pressurized hydraulic

fluid into the interspace for causing the power unit to expand and thereby locally increase the pressing pressure on the upper part of the press tool.

For these reasons, claim 33 is not anticipated by Smith.

Independent claim 25, as amended herein, is directed to an apparatus for locally increasing pressing pressure in a press tool having a first part with a first abutment surface clamped to a first clamping surface in the press and a second part with a second abutment surface clamped to a second clamping surface in the press, said apparatus comprising: a number of press cylinders for exerting the pressing pressure of the press; the first abutment surface of the press tool being smaller than the first clamping surface in said press; a power unit smaller than said first abutment surface and provided in a contact region between the first clamping surface in the press and the first abutment surface of the tool; said power unit being configured on activation, concurrently with activation of the press cylinders, to press away from the first clamping surface at least a part of the first abutment surface on the tool; said power unit comprising at least two plates defining an interspace between said at least two plates; said at least two plates being circumscribed by and being fastened to a frame member extending along peripheries of the plates; and said power unit being capable of being activated by supplying a pressurized hydraulic fluid into the interspace for causing the power unit to expand thereby locally increasing the pressing pressure on the first tool part.

With respect to the anticipation rejection of claim 25 based on U.S.P. 6,752,901 to Musse, Applicants' comments in

their previous response are applicable herein and are incorporated by reference. Further, while the Examiner has expressed his interpretation of Musse, the Examiner errs because it is not his interpretation that matters. What matters is how one of ordinary skill in the art would interpret the reference.

Musse is directed to a press for applying a coating material (25) in the form of papers or films to a workpiece (24). The coating press (14) of Musse has press cylinders 23 which act on press platens (16, 17) between which are pressure plates (15) and disposed above them are hydraulic cushions (1). A reading of Musse shows that it does not disclose an apparatus for locally increasing the pressing pressure in a press tool. Instead, it refers to a coating press designed especially for obtaining an even pressure distribution (isobaric pressure) (see col. 2, lines 19 - 20 and 33 - 34; and col. 5, line 67). In col. 3, line 55, it is aid that the hydraulic cushions shall give "an elastic spring effect". In col. 6, line 61, it is said that the vessel (13) may contain a compressible gas to obtain the "elastic spring effect."

In accordance with the claimed invention, the power unit is smaller than both the upper tool part and the press slide so as to achieve a locally increased pressure on and in the upper tool part. In Musse, both the cushion (1) and the pressure plates (15) are bigger than the workpiece (24) and the covering material (25). Thus, Musse can not locally increase the pressure.

The Examiner errs for the following reasons. The Examiner says that the tool (15) has a clamping surface (16); however (16) is a press platen which does not have a surface which

clamps anything. Thus, the Examiner has failed to identify a first part with a first abutment surface clamped to a first clamping surface in the press. In reality, Musse discloses that the entire surface of tool (15), not just the middle portion, is an abutment surface. Further, regardless of what is deemed to be the abutment surface, it can not be smaller than the clamping surface, because there is no clamping surface in Musse. As for the alleged power unit, the hydraulic cushions provide no power and thus do not form a power unit. Even if the power unit were to be deemed to be the two hydraulic cushions, the cushions do not press away from the clamping surface. If anything, they travel with the press platens and the pressure plates. Still further, it is physically impossible for the hydraulic cushions to be recessed in the clamping surface because of the press platens (16). Still further, there is no disclosure in Musse of the hydraulic cushions being circumscribed and fastened to a frame member extending along peripheries of the plate. What is being described in col. 6, lines 1 - 4 of Musse is the structure of the hydraulic cushion, not the structure of something circumscribing and being fastened to a frame member extending along peripheries of the plate. Finally, the hydraulic cushions do not form an interspace which is filled by a hydraulic fluid to expand and thereby locally increase the pressing pressure on the first tool part.

For these reasons, Musse does not anticipate the subject matter of claim 25.

With respect to the obviousness rejection of claim 25 based on the combination of Smith and Musse, the deficiencies of Smith are discussed above and incorporated herein. Smith lacks a number of press cylinders for exerting the pressing pressure of

the press. It also lacks a first abutment surface of the press tool which is smaller than the clamping surface in the press. It also fails to disclose a power unit placed in a contact region between the first clamping surface and the first abutment surface. Again, Smith uses inflatable bags, not a power unit formed by at least two plates which define an interspace therebetween. Smith also lacks a power unit which expands to locally increase the pressing pressure on the first tool part. As for the missing subject matter of Smith, as discussed above, Musse does not cure this defect since it too has a number of deficiencies, most notably, it lacks two plates which are circumscribed and fastened to a frame member extending along peripheries of the plates. Thus, even if combined, the two references do not teach or suggest the claimed subject matter.

For these reasons, claim 25 is allowable over the combination of Smith and Musse.

Claims 26, 27, 29, 31, and 32 are allowable for the same reasons as claim 25 as well as on their own accord.

With respect to claim 33, the deficiencies of Smith are discussed above and are incorporated by reference herein. Musse fails to disclose a power unit located in the place called for in claim 33. Thus, even if combined with Smith, the two references do not teach or suggest the claimed subject matter.

New claim 38 is directed to an apparatus for locally increasing the pressing pressure in a press tool, the apparatus comprising: a press having first and second clamping surfaces movable under influence of a number of press cylinders towards and away from one another to exert a pressing pressure; a press tool having a first part clamped on the first clamping surface

and a second tool part clamped on the second clamping surface, the tool being configured, on activation of the press cylinders, for pressing a work piece between the first and second parts thereof; a power unit smaller than the first part of the tool and provided in a contact region between the first clamping surface and the first tool part, the power unit having an internal space; and a source of pressurized hydraulic fluid connected to the internal space, the source being configured, upon activation of the power unit, to supply pressurized hydraulic fluid to the internal space thereby causing the power unit to expand for locally increasing the pressing pressure.

Claim 38 is allowable for the same reasons as claim 25. Claims 34 - 26 which depend from claim 38 are allowable for the same reasons as claim 38 as well as on their own accord.

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicants' attorney at the telephone number listed below.

A three month request for extension of time is enclosed herewith. The Director is hereby authorized to charge the extension of time fee in the amount of \$1,270.00 and extra independent claim fee in the amount of \$250.00 to Deposit Account No. 02-0184.

If the Director determines that an additional fee is due,
he is hereby authorized to charge said fee to said Deposit
Account 02-0184.

Respectfully submitted,

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